IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2335 OF 2006

Mr. Pravin Ashok Rakh. ...Applicant.
Vs.
State of Maharashtra. ...Respondent.

Mr.S.S.Thombare, APP. for the Applicant.
Mr.K.V.Saste, APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 14/7/2006.

P.C.

1. This is an application for grant of bail. The applicant is shown as an accused in C.R.No.364/2005 registered by Wanwadi Police Station for alleged offence under Section 376 of the I.P.C. On perusing the F.I.R., it indicates that the prosecutrix who is a girl by name Jayshree had gone with the applicant and stayed with him for several days at various places. They were also doing labour work. It appears that the police have acted at the behest of the family members. It appears that the age of the girl is aged 14 years. However, from the F.I.R. it is clear that prosecutrix is consenting party. Consent is immaterial for conviction but will have a bearing on the length of sentence. In my view, matter can proceed without the custodial interrogation of the applicant. It is therefore, directed that pending his trial, the applicant may be

released on bail in the sum of Rs.10,000/- with one surety in the like amount subject to the condition that he should report to the Investigating Officer at Wanwadi Police Station once in a month on every first Monday between 11 to 5p.m.till the disposal of the trial.

2. Application is disposed off.

(R. S. MOHITE, J.)